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 THERESA MONSEUR-KELLY

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Proposed Local Counsel for Plaintiff
 THERESA MONSEUR-KELLY

**UNITED STATES DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA**

THERESA MONSEUR-KELLY,

 Plaintiff,

 vs.

 UNUM LIFE INSURANCE COMPANY
 OF AMERICA, UNUMPROVIDENT
 CORPORATION, MDL INFORMATION
 SYSTEMS, INC., and MDL DENTAL, LTD,
 STD, LIFE, AD&D PLAN,

 Defendants.

Case No.: CV 05-02915 CW

ASSIGNED TO THE HON. CLAUDIA WILKEN,
 COURTROOM 2, 4TH FLOOR

**ORDER GRANTING SUBSTITUTION
 OF LOCAL COUNSEL**

Complaint Filed: July 18, 2005

BACKGROUND

Acting as local counsel for Plaintiff Theresa Monseur-Kelly, David Lilienstein of Bourhis & Wolfson filed the complaint herein on July 18, 2005.

John Wood of Branham & Day is Plaintiff's primary counsel, and was admitted *pro hac vice* on September 1, 2005.

Of the four named defendants, only three (Unum Life Insurance Company of America, UnumProvident Corporation, and MDL Dental, LTD, STD, Life, AD&D Plan) have been served with summons and complaint. None of those defendants has yet appeared in this action.

AGREEMENT FOR SUBSTITUTION OF COUNSEL

1. David Lilienstein of Bourhis & Wolfson agrees to withdraw as local counsel for Plaintiff.

2. Theo J. Emison of Emison, Hullverson & Bonagofsky LLP in San Francisco, California, agrees to substitute in as local counsel for Plaintiff.

3. Plaintiff Theresa Monseur-Kelly agrees to Mr. Lilienstein's withdrawal and Mr. Emison's substitution.

4. Plaintiff's primary counsel, John Wood of Branham & Day in Brentwood, Tennessee, agrees to Mr. Lilienstein's withdrawal and Mr. Emison's substitution.

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FILER'S ATTESTATION REGARDING NON-FILER SIGNATORIES

I, Theo J. Emison III, Esq., am a signatory to this Substitution and the attorney responsible for its filing. In accordance with General Order No. 45, Section X(B), I attest that I have obtained concurrence in the filing of this document from each of the other signatories listed below. I declare under penalty of perjury under the laws of the State of California and the United States of America that the foregoing is true and correct, and that this attestation was executed on October 5, 2005, in San Francisco, California.

/s/ Theo J. Emison III, Esq.

Theo J. Emison III

Dated: October 4, 2005

BRANHAM & DAY

By: /s/ John Wood, Esq.

John Wood

Attorneys for Plaintiff

THERESA MONSEUR-KELLY

Dated: October 4, 2005

BOURHIS & WOLFSON

By: /s/ David Lilienstein, Esq.

David Lilienstein

Current Local Counsel for Plaintiff

THERESA MONSEUR-KELLY

Dated: October 4, 2005

By: /s/ Theresa Monseur-Kelly

Theresa Monseur-Kelly

PLAINTIFF

1 Dated: October 4, 2005

EMISON ? HULLVERSON ? BONAGOFISKY LLP

2
3 By: /s/ Theo J. Emison III, Esq.

4 Theo J. Emison III

5 Proposed Local Counsel for Plaintiff

6 THERESA MONSEUR-KELLY

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10 **ORDER**

11 Theo J. Emison III of Emison, Hullverson & Bonagofsky LLP is hereby substituted for
12 David Lilienstein of Bourhis & Wolfson as local counsel for Plaintiff Theresa Monseur-Kelly in
13 this matter.

14
15 Dated: October 11, 2005

/s/ CLAUDIA WILKEN

16
17 The Hon. Claudia Wilken

18 U.S.D.C., Northern District of California